

Appl. No. 10/765,106
Amd. dated February 16, 2005
Reply to Office Action of 11/18/2004

REMARKS

**Reconsideration And Allowance
Are Respectfully Requested.**

Claims 1-15 are currently pending. No claims have been amended. No claims have been canceled. New claims 6 - 15 have been added. No new matter has been added. Reconsideration is respectfully requested.

Claims 1-2 and 4-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,511,386 to Cacicedo in view of U.S. Patent No. 6,506,128 to Bloom, Jr. and U.S. Patent No. 5,085,891 to Takeuchi. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,511,386 to Cacicedo in view of U.S. Patent No. 6,506,128 to Bloom, Jr. and U.S. Patent No. 5,085,891 to Takeuchi and further in view of U.S. Patent No. 5,779,559 to Eberle or U.S. Patent No. 4,426,083 to Dishner, Jr. These rejections are respectfully traversed in view of the following remarks.

With regard to all of the pending independent claims, Applicant has set forth a unique alignment system which is neither disclosed nor taught in the prior art. The combination of references cited in the Office Action fails to teach the claimed intersecting lines on the end of a golf club handle. Specifically, Takeuchi is the reference relied upon in the Office Action to teach this structure and Takeuchi fails to teach the claimed alignment system. Takeuchi does show lines 6, 7 and 8 on the end of a golf club handle, but none of these lines intersect. In fact, these lines are not for alignment as disclosed and claimed by Applicant. The lines disclosed by Takeuchi are to enable "a golfer to fit the grip on the rear portion of the club shaft so that a fitting angle of the grip relative to a club face is accurately easily adjusted to a correct angle in accordance with his particular putting".

In contrast, Applicant's alignment marks must intersect to form cross-hairs. The cross-hair alignment marks on the top of the putter head are in a direct line of sight of the golfer as he applies his hands to the handle and lines up the putt with the intended target. The longer alignment line, across the longitudinal axis of the oval cross section of the top of the handle, is preset exactly at 90° to the plane of the putter face and, therefore, reflects the direction the putter face is aimed toward the intended target. The second line of the cross hair is parallel to the direction of the putter face. Once an intended target line is selected, this second line must be perpendicular to the target direction line in order for the club face to be square to the target. The golfer is able to use these alignment marks in conjunction with similar markings on the putter head as an aid to putter head alignment, as well as stroke direction, to ensure the club face is maintained perpendicular to the target during the execution of a putting stroke.

Alignment for a golf shot as claimed is not the same as fitting a grip on a club shaft as disclosed by Takeuchi. Applicant's is for aligning a shot and Takeuchi's is for making a club.

The Office Action states that it would be obvious to not have a vent hole and have a first alignment line intersecting a second alignment line forming a cross in order to provide more lines to align a grip on a club. The Office Action, however, fails to provide any teaching for the proposed modification.

First, there is no teaching to remove the vent hole in Takeuchi as desired by the Examiner. Second, if removed, the grip would not function as intended and the so-called obvious modification would result in destroying the device contemplated by Takeuchi. Third, even if the vent hole was removed, the marks on Takeuchi would not intersect and there is no teaching in the prior art that the removal of a vent hole would cause lines to intersect. In fact, the only teaching of intersecting lines is by Applicant and, as such, the rejection is improperly based upon hindsight. The intersecting lines are Applicant's invention and cannot merely be dismissed as obvious without some form of teaching in the prior art.

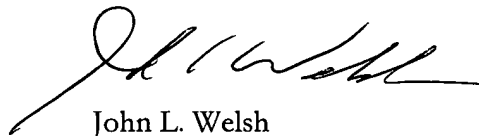
Appl. No. 10/667,894
Amd. dated February 11, 2005
Reply to Office Action of 01/13/2005

It has now been shown that the rejection based upon Takeuchi is improper and not obvious. Further, it has been shown that even if combined with other references the resulting combination does not produce Applicant's claimed invention. Therefore, the outstanding rejections should be withdrawn and the case passed to issuance.

It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. L. Welsh', with a long horizontal flourish extending to the right.

John L. Welsh
Registration No. 33,621

WELSH & FLAXMAN LLC
2450 Crystal Drive
Suite 112
Arlington, Virginia 22202
Telephone: (703) 920-1122